IN THE HIGH COURT OF JUDICATURE OF
ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE MR. JUSTICE D.S.R.VARMA
AND
THE HON'BLE MR. JUSTICE D.APPA RAO

TAKEN UP WRIT PETITION NO. 15324 OF 2007

Dated : August 9, 2007

Between:

Nelaturi Santhi

Petitioners

AND

The Station House Officer,
Narasaraopeta Rural Police Station,
Guntur District at Guntur and another

Respondents

THE HON'BLE MR. JUSTICE D.S.R.VARMA
AND
THE HON'BLE MR. JUSTICE D.APPA RAO

TAKEN UP WRIT PETITION NO. 15324 OF 2007

ORAL ORDER: **(per THE HON'BLE MR. JUSTICE D.APPA RAO)**

Heard the learned Government Pleader for Home on behalf of the respondents.

2. This is, a taken up, writ petition on a telegram dated 17.07.2007 issued by one Nelaturi Santhi alleging that her husband viz., Nelaturi Chalapathi Rao, was detained illegally by the Narasaraopeta Rural Police, Guntur District, on 16.07.2007 at 07.00 p.m. and apprehended danger to his life.

3. The Sub-Inspector of Police, Narasaraopeta Rural Police, Guntur, - first respondent, filed counter affidavit, inter alia stating that a case in Cr. No. 78 of 2007 was registered against the brother of the alleged detenue for the offences under Sec. 498-A, 307, 328 read with Sec. 34 IPC. The police have been trying to apprehend his brother. In fact, the alleged detenue is working as a Junior Assistant in Lutheran High School for the Blind, Narasaraopeta, Guntur District. He was on casual leave on 17.7.2007. Thereafter, he had been attending the school regularly. In support of the plea, he filed Xerox copy of the Attendance Register issued by the Head Mistress, Lutheran High School for the Blind, disclosing that on 17.7.2007, the alleged detenue had applied casual leave and since then he has been attending to the duties.

The police produced the alleged detenue in the court. When questioned, he stated that since his brother is involved in a case and when the police came to his house, he was apprehensive and left his house on his

own accord without informing the said fact to his wife. The petitioner not knowing these facts gave a telegram.

In the light of the facts stated in the counter affidavit, and having regard to the statement made by the alleged detenue before this court, we do not find any ground to proceed further in this writ petition. Consequently, the writ petition is dismissed being devoid of merits, at the stage of admission. However, there shall be no order as to cost.

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D.S.R.Varma, J.

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D.Appa Rao, J.

August 9, 2007
MAS